

EAST PALESTINE VILLAGE COUNCIL DECEMBER 28, 2015 85 N. MARKET ST. 7PM

Mayor Zuch called the meeting to order. Present were Atty. Beagle, Mr. Elzer, Mr. Cohen, Mr. Todd and Mr. Tyger. (Mrs. Wisser was not present). Also present was Village Manager Pete Monteleone, Law Director Dave Powers, and Finance Director Traci Thompson. (The Clerk was on vacation so the Finance Director took over duties as clerk for the meeting.) The minutes of the December 14, 2015 meeting were approved on a motion by Mr. Cohen seconded by Mr. Tyger. All in favor. There were no monthly department reports, Agenda items or Clerks report.

MAYOR: At this point Atty. Powers swore in Mayor Zuch for her term beginning in January 1, 2016 and then Mayor Zuch swore in returning Council Members Ellen Beagle, Brett Todd and new Council Member Mark Walker for their terms beginning January 1, 2016.

MANAGER: Manager Monteleone stated he received a letter from ODOT in reference to paving of SR 165 (N. Market St. from Village limits to E. Taggart St.). The letter stated that paving will be done the summer of 2017. Mr. Cohen stated that the Village can't pave Market St. as it is a state route, that the responsibility lies with the state and Monteleone said we are funded to maintain it but not pave it. He also stated that the preconstruction meeting for the Sumner St. Bridge will be Monday January 4.

LAW DIRECTOR: Atty. Powers reminded council that an amendment would be needed for the Teamsters and FOP legislation to replace the already attached contracts to the new updated ones.

STREET: NO REPORT

S/P/R/C: Mr. Cohen thanked Rotary for their work in putting on Christmas Lights in the Park.

DEVELOPMENT: Mr. Elzer stated he would like to thank the Village employees and all of the volunteer organizations for a great year.

UTILITY: Mr. Elzer asked if there was any progress in setting up a meeting with the EPA and Monteleone said no, not over the holidays.

FINANCE: NO REPORT

VISITORS: John Herbert, Mark Walker, Jerry Coblenz, Carol Cope, Dan Scott, Rick & Karen Gorby, Denny Griffith, Don Johnson, Dianna Elzer, Brock Jurjavic, John Jurjavic, John Davis, Terry Ward, Mary Beth DiCello and Katie White.

VISITORS COMMENTS ON CURRENT LEGISLATION: In reference to the contracts Mr. Elzer said that after 10 years of employment employees receive 40 days of leave with pay (vacation, sick time, personal days & holidays) which equates to 15% of the time and that seems excessive. He said that the FOP contract states that disputes are to be handled by the Civil Service Commission and he didn't even know who that was. Mr. Cohen stated we no longer have a Civil Service Commission. Mr. Elzer said there are sections in both contracts about wage reopeners but he thought wages would be done on the merit system now, he asked if the union is representing a group how can it be merit based. Mr. Cohen said it is both because there is no obligation to the Village to offer wage increases and that is why there are negotiations and per the contract the village can negotiate with the unions based on merit. Manager Monteleone stated the "me too" clause is no longer in the contracts. In reference to the longevity clause Mr. Elzer asked if the percentages added up upon each other and Monteleone said no, the first year after completing 4 years is 2% and then an additional ½% each year after stopping at 7 %. Mr. Elzer asked if the opt out for insurance is paid per month and Monteleone said yes. He also asked if only CDL drivers get drug tested and Monteleone said no, there is a random testing schedule for all employees. Mr. Todd asked Monteleone to give council the comparison prices for the truck being purchased. Monteleone said the state bid price was around \$59,900.00 from Donnell Ford and the bid for Chevy came back at just under \$54,000.00 so they stayed local with the Chevy from Brittain Motors. Mr. Todd then

asked if the legislation for the employee handbook needed to be done as emergency as they only received it this past Thursday and it was a holiday weekend. He said he personally hasn't had time to discuss it with council or village employees. Monteleone said it is presented as emergency because the part time people from the union would now fall under the employee handbook (white book) and if it is passed they will fall into a state of no regulations to which Atty. Beagle stated she is not comfortable with the employees not knowing where they stand. Mr. Cohen said if it wasn't passed on emergency it would not go into effect until the end of February. Mr. Todd also stated that he felt there should be more "checks & balances" as far as merit based raises, he doesn't feel the Manager should have all of the power. Mr. Cohen stated that part of the reason it was done this way was to give the manager that power, to allow him to run the Village. Atty. Beagle agreed stating that Council needs to get away from micro-managing. Monteleone said that he has to have council's approval to give a raise.

LEGISLATION: Atty. Beagle made a motion to amend Ord. 26 & 27 to replace the existing attached Exhibit A on each one with the updated exhibits, seconded by Mr. Cohen. All in favor. Atty. Beagle introduced Ord. 24-2015 for a third reading and made a motion that it be read by title only seconded by Mr. Cohen. **An ordinance authorizing the Village Manager to enter into a contract with Brittain Motors, Inc. for the purchase of a 2015 model Silverado 3500 4wd cab, with stainless steel dump bed, Myers snow plow and accessories as set forth in the attached bid sheets and specifications for the price of fifty three thousand seven hundred forty dollars (\$53,740.00).** Atty. Beagle called for a vote on Ord. 24-2015. Atty. Beagle-y, Mr. Elzer-y, Mr. Todd-y, Mr. Cohen-y, Mr. Tyger-y. 5 YES to pass. Atty. Beagle introduced Ord. 25-2015 for a second reading and made a motion that it be read by title only seconded by Mr. Cohen. **An ordinance authorizing a 2.00% wage increase between the Village of East Palestine (employer) and all full time and part time non union employees and declaring an emergency.** Atty. Beagle made a motion to suspend the rules and declare an emergency seconded by Mr. Cohen. . Atty. Beagle-y, Mr. Elzer-y, Mr. Todd-y, Mr. Cohen-y, Mr. Tyger-y. Atty. Beagle called for a vote on Ord. 25-2015. . Atty. Beagle-y, Mr. Elzer-y, Mr. Todd-y, Mr. Cohen-y, Mr. Tyger-y. 5 YES to pass. Atty. Beagle introduced Ord. 26-2015 for a second reading and made a motion that it be read by title only seconded by Mr. Cohen. **An ordinance ratifying and adopting the negotiated contract between the Village of East Palestine (employer) and the Fraternal Order of Police (union), for a five year term, commencing with an effective date of January 1, 2016 through December 31, 2020 and declaring an emergency.** Atty. Beagle made a motion to suspend the rules and declare an emergency seconded by Mr. Cohen. . Atty. Beagle-y, Mr. Elzer-y, Mr. Todd-y, Mr. Cohen-y, Mr. Tyger-y. 5 YES to pass. Atty. Beagle called for a vote on Ord. 26-2015. . Atty. Beagle-y, Mr. Elzer-y, Mr. Todd-y, Mr. Cohen-y, Mr. Tyger-y. 5 YES to pass. Atty. Beagle introduced ORD. 27-2015 for a second reading and made a motion that it be read by title only seconded by Mr. Cohen. **An ordinance ratifying and adopting the negotiated contract between the Village of East Palestine (employer) and the Teamsters (union), for a five year term, commencing with an effective date of January 1, 2016 through December 31, 2020 and declaring an emergency.** Atty. Beagle made a motion to suspend the rules and declare an emergency seconded by Mr. Cohen. . Atty. Beagle-y, Mr. Elzer-y, Mr. Todd-y, Mr. Cohen-y, Mr. Tyger-y. 5 YES to pass. Atty. Beagle called for a vote on Ord. 27-2015. . Atty. Beagle-y, Mr. Elzer-y, Mr. Todd-y, Mr. Cohen-y, Mr. Tyger-y. 5 YES to pass. Atty. Beagle introduced Ord. 28-2015 for a first reading and made a motion that it be read by title only seconded by Mr. Cohen. **An ordinance amending the Village of East Palestine Employee Handbook, effective January 1, 2016 and declaring an emergency.** Atty. Beagle made a motion to suspend the rules and declare an emergency seconded by Mr. Cohen. . Atty. Beagle-y, Mr. Elzer-y, Mr. Todd-n, Mr. Cohen-y, Mr. Tyger-y. Passes 4 to 1. Atty. Beagle called for a vote on Ord. 28-2015. . Atty. Beagle-y, Mr. Elzer-y, Mr. Todd-n, Mr. Cohen-y, Mr. Tyger-y. Passes 4 to 1. Atty. Beagle introduced Ord. 29-2015 and made a motion that it be read by title only, seconded by Mr. Cohen. **An ordinance authorizing the Finance Director to make supplemental appropriations for the Village of East Palestine, Ohio for the fiscal year beginning January 1, 2015 and declaring an emergency.** Atty. Beagle made a motion to suspend the rules and declare an emergency seconded by Mr. Cohen. . Atty. Beagle-y, Mr. Elzer-y, Mr. Todd-y, Mr. Cohen-y, Mr. Tyger-y. 5 YES to pass.

Atty. Beagle called for a vote on Ord. 29-2015. . Atty. Beagle-y, Mr. Elzer-y, Mr. Todd-y, Mr. Cohen-y, Mr. Tyger-y. 5 YES to pass. At this point Mr. Cohen made a motion to go into executive session under ORC. Section 121.22 G 1 for the purpose of considering the appointment of public officials, specifically members of the Library Board, inviting the Mayor into the session, seconded by Mr. Elzer. All in favor. Approximately 15 minutes later council resumed regular session. Mr. Cohen made a motion to approve the names of Wendy Tyger, Jill McGee, and Stephanie Elick as the new members of the East Palestine Memorial Library Board seconded by Atty. Beagle. All in favor. (Mr. Tyger abstained as Mrs. Tyger is a relative).

ADJOURN: Mr. Elzer made a motion to adjourn, seconded by Atty. Beagle. All in favor, meeting adjourned.

MISTI J. MARTIN CLERK

MAYOR MARGO ZUCH